

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended in light of the following discussion, is respectfully requested.

Claims 22, 24-32, 34-41 and 43-47 are pending in this application. Claims 22, 26, 32 and 36 are amended, and Claims 44-47 are new. Support for the changes to the claims is found in the original disclosure including the specification at least in paragraph [0083] and in the drawings at least in Figs. 4-7 and 9. It is respectfully submitted no new matter is added.

In the outstanding Office Action, Claims 22, 26, 32, 36 and 43 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. 2002/0129368 (Schlack) in view of U.S. 2002/0140728 (Zimmerman) and U.S. 2008/0040745 (Banker); Claims 24, 25, 27, 29, 31, 34, 35, 37, 39 and 41 were rejected under 35 U.S.C. §103(a) as unpatentable over Schlack in view of Zimmerman, Banker and U.S. 2004/0017831 (Ellis); and Claims 28, 30, 38 and 40 were rejected under 35 U.S.C. §103(a) as unpatentable over Schlack in view of Zimmerman, Banker, Ellis, and U.S. 2003/0212708 (Potrebiec).

Claim 22 recites:

An information providing apparatus for providing added-value information associated with content viewing selection, comprising:

a viewing log information acquiring unit configured to acquire a viewing log, the viewing log including a log of a viewing of content and a log of a purchase of another content;

a content-associated information acquiring unit configured to acquire content-associated information associated with each content included in the viewing log, *the content-associated information including attribute-values for each attribute of each content*;

*an added-value information generating unit configured to measure a number of appearances of the attribute-values, the attribute-values having multiple appearances in the content-associated information, and rank the attribute-values for each attribute by the number of appearances in the viewing log, and to generate added-value information, including a list of a predetermined number of the attribute-values which are ranked highest in the number of appearances among the log of the viewing of content and the log of the purchase of another content; and*

a presentation-information transmitting unit configured to transmit the added-value information. [Emphasis added].

As emphasized above in Claim 22, the information providing apparatus includes an added-value information generating unit to measure an appearance frequency (now clarified as *a number of appearances*) of attribute-values for each attribute of each content which have multiple appearances in the content-associated information acquired by a content-associated information acquiring unit. Additionally the added-value information generating unit ranks each attribute-value for each attribute by the number of appearances in the viewing log. In one aspect, the added-value information generating unit counts the number of times each attribute-value for each attribute appears in the content-associated information and executes ranking based on the number of counts for each attribute.<sup>1</sup>

The Office Action alleges Banker describes ranking attributes by an appearance frequency by displaying a video-on-demand purchase list of most recently purchased programs. Applicant respectfully disagrees. Banker merely describes ranking purchased content based on a date the content was presented. Banker fails to disclose or suggest ranking attribute-values by the attribute-values' appearance frequency (or number of appearances as clarified in Claim 22) in content-associated information corresponding to a viewing log.

Additionally, the Office Action states "Frequency" is defined as a "rate of occurrence," and further states that a purchase date of content is a frequency. Applicant respectfully disagrees with this improper interpretation of the term "frequency."

The rate of occurrence of the content (let alone the attributes of the content) shown in Fig. 10 of Banker is unknown because there is no indication of how many times the content was viewed or purchased. Figure 10 merely shows the content as being purchased once. Thus, the frequency of each content (or the number of appearances of each content) shown in

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<sup>1</sup> See Specification at paragraphs [0083] and [0084]; see also Fig. 6, step S13, and Figs. 7 and 9.

Fig. 10 is only one (i.e. the content was purchased or presented only once). Therefore, Banker does not rank the content in Fig. 10 based on a rate of occurrence, a frequency or a number of appearances because, as the Office Action identifies, the content is ranked by a date the content was presented.

In summary, Banker fails to disclose or suggest measuring a number of appearances of attribute-values for each attribute which have multiple appearances in content-associated information, ranking each attribute-value by the number of appearances in a viewing log, and generating added-value information, including a list of a predetermined number of attribute-values which are ranked highest in number of appearances, as defined in Claim 22. Moreover, Claim 22, as clarified herein, overcomes the above-noted improper interpretation of “frequency” set forth in the Official Action, and further states that the attribute-values have multiple appearances in the content-associated information, which Banker also fails to disclose or suggest.

None of the other cited references overcome the above-noted deficiencies of Banker. Therefore, it is respectfully submitted Claim 22 is allowable over the cited references.

Although directed to a different statutory class and/or varying in scope, Claim 32 recites features which are allowable over the cited references for substantially the same reasons as noted above regarding Claim 22. Therefore, it is respectfully submitted the rejections of Claims 22 and 32 (and any claims depending therefrom) under 35 U.S.C. §103 should be withdrawn.

Furthermore, it is respectfully submitted new dependent Claims 44-47 recite features which are allowable over the cited references in addition to the reasons noted above regarding the independent claims. In particular, none of the cited references disclose or suggest the attributes, as defined in the claims, as including at least one of a genre, a performer and a keyword. Additionally, none of the cited references disclose or suggest

displaying a number of appearances of each attribute-value in content-associated information.

Consequently, this application is submitted to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

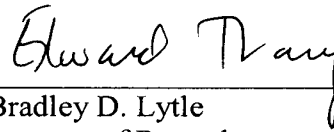
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